



Meeting Minutes

Whitestown Plan Commission

Date: 11/14/2016

Time: 6:30pm

Location: Whitestown Municipal Complex, 6210 Veterans Drive, Whitestown, IN 46075, (317) 769-6557

Call to Order

6:30pm

Pledge of Allegiance

Roll Call

- ☒ Jason Lawson
- ☒ Dennis Anderson
- ☒ Josh Westrich
- ☒ Bryan Sheward
- ☒ Jacob Crouch
- ☒ Craig Arthur
- ☒ Cory Clasemann- **Absent**
- ☒ Staff:
 - Lauren Bailey, Town Planner,
 - John Molitor, WPC/WBZA Attorney

Approve Agenda & Meeting Minutes

1. November 14, 2016 Agenda
2. October 17, 2016 Meeting Minutes

Motion to approve agenda and meeting minutes by Westrich. Second by Lawson. Motion passes 6-0.

Public Comment for Items Not on the Agenda

Presentations

3. Zytango Farms- Bret Reinhardt

Old Business

4. **Docket PC16-019-ZA- Spalding PUD**
 - i. Bailey- The PUD Review Committee has reviewed and voted to give a favorable recommendation to the Commission for the Spalding PUD.

- ii. Melissa Gerrard: I want to thank the Commission and the Review Committee for working on this and the enjoyable process this has been as this is the 1st the Review Committee has seen. This is a great start for this community.

Motion to approve by Sheward. Second by Anderson. Motion passes 6-0.

New Business- Public Hearing

5. Docket PC16-027-CP Maple Grove Lot 2 (Payless Liquors) Concept Plan

- i. Kent Frandsen- Applicant representative: Introduction to project. The owner and myself met with the concerned residents at our public meeting and the major concerns we heard were the liquor use, signage, lighting and the need for additional landscaping.
- ii. Bailey: Staff Report- Comments and Recommendation.

Public Request to Speak

- iii. Adam Auvil: 6628 Westminster Dr. Zionsville- In opposition- Stonegate resident, also on the HOA board. Attended October Public meeting with WPC and Petitioner. Major concerns include: high traffic & safety, does not fit the “family friendly” feel. Items to address-
 - 1. Will there be a light at Stonegate/Maple Grove Boulevard?
 - 2. What is the purpose of the RI/RO on Whitestown Parkway?
 - 3. What does additional lighting, landscape buffering and signage mean in the staff report?
 - 4. Closing at 11pm is too late.
- iv. Bailey: Because this is only a concept plan, we can make the requirement to go above and beyond on the basic UDO requirements. The lighting, signage and landscaping will be specifically looked at at the development plan process. The RI/RO on Whitestown Parkway is the same you see at the Gas Station which will produce more traffic than this development. The Town required the petitioner to do a traffic study to show this is warranted and safe, I can send you this public information if you request it.
- v. Crouch: I don’t feel closing a store at 11pm on the weekends is an unreasonable request.
- vi. Lawson: A traffic study was done on Whitestown Parkway and a light was determined only at Veterans Drive/Whitestown Parkway, not at Maple Grove Boulevard/Stonegate.
- vii. Bailey: Placing a light there would be too close to the existing light and would create traffic back-ups.
- viii. Auvil: What do I do when I can’t turn left out of my neighborhood then?
- ix. Crouch: Please come to the podium when you want to speak. Is there any other public request to speak on this topic?

Rebuttal

- x. Frandsen: No additional comments
- xi. Crouch: Thank you Mr. Auvil and the others who have spoken their concerns. With the current zoning we are limited on what action we can take.

Motion to approve by Arthur. Second by Sheward. Motion passes 6-0.

6. Docket PC16-034-OV

- xii. Joel Nagle- Bose McKinney and Evans representative: Introduction to violation and request to receive an order in writing from the Commission to proceed to a publication to notify the owner and involved parties.
- xiii. Dave Taylor- Code Enforcement Officer: I went out numerous times in attempt to reach the owner to rectify the violations on this property. We contacted the title company and the 10 parties involved on the mortgage.
- xiv. Bailey: Staff Recommendation.
- xv. Ian F- Servicing Company: Our company has currently filed a foreclosure action on this property. Once this is filed there is a 45-60-day process for the mortgage lender then they will be taking bids to save the property. We understand the violations on this and would appreciate a longer time period than 30 days as written in the staff recommendation.
- xvi. Molitor: After the recession it has made it very difficult for lenders to foreclose on properties like this.
- xvii. Nagle: There are 10 people on the mortgage as involved parties and we have not been able to serve the property owner yet. We are seeking for a hearing on this but need to serve the owners to ask to demo. We can publish a notice in the newspapers as a last stitch effort. At that time we would have the WPC make a declaration that we have made every reasonable attempt to serve the violation.
- xviii. Taylor: We have received 6 certified mailers back, 4 of them have been returned from a PO box and have not received anything back from one of the notices.
- xix. Dax Norton- Town Manager: This is an important item. This area has become a depressed area and we are making every attempt to show residents that if you own property, we mean business and take care of it. Some property owners have stopped caring which drags down the area even more. We need to set a precedent and put a timeline on taking action on this property.

Motion to approve as written in the Staff recommendation to limit action to 30 days by Lawson. Second by Anderson. Motion passes 6-0.

7. 2017 WPC Meeting Schedule

Motion to approve by Sheward. Second by Anderson. Motion passes 6-0.

Other Business

8. 2017 WPC Meeting Schedule

- a. Bailey: I have been notified multiple times on how we can limit the bright LED lights. As we continue to grow, many companies are utilizing the energy saving light bulbs however they are extremely bright, especially the blue tinted ones. We need to do additional research to find an exact lumen requirement.
- b. Sheward: Any requirement to limit lights to a 0-lot line? No light shall spill onto adjacent properties?
- c. Molitor: That would be difficult to measure, other communities probably have a percentage requirement at the lot.

9. Notification Requirements

- a. Bailey: Per our last meeting, we researched other communities public notice requirements and it seems as if we are the same if not better than some: Avon, Noblesville, Carmel and Brownsburg require 660' while Lebanon requires 300'. These are all OR 2 property owners or parcels away.
- b. Sheward: Our applications say AND but our ordinance says OR so we should change that on there.

Adjourn

Unanimous vote to adjourn

7:29pm

Jacob Crouch, President

Lauren Bailey, Secretary